



MINUTES OF THE BOARD OF SUPERVISORS  
COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

Sachi A. Hamai, Executive Officer-  
Clerk of the Board of Supervisors  
383 Kenneth Hahn Hall of Administration  
Los Angeles, California 90012

At its meeting held November 18, 2008, the Board took the following action:

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The following item was called up for consideration:

The Chief Executive Officer's recommendation to approve additions, deletions, and changes to existing Board-adopted policies and positions for inclusion in the 2009-10 State Agenda; and instruct the Chief Executive Officer, affected departments, the Legislative Strategist, and the Sacramento advocates to work with the Los Angeles County Legislative Delegation, other counties and local governments, and interest groups to pursue these policies and positions in the State Legislature and with the Administration and its agencies.

Supervisor Yaroslavsky made the following statement:

"Juvenile court schools play a pivotal role in the education of the most at-risk youth in the State. Juvenile court schools provide educational services to students placed by the courts in juvenile halls, juvenile homes, day centers, camps, regional community education centers or group homes. These students are under the authority of the juvenile court and have been detained and are awaiting judicial dispensation or have been adjudicated and have been incarcerated by the court.

"For many of these students, the juvenile court schools will be their final opportunity to veer away from further criminal behavior and to return to a more promising future through education and good citizenship. However, in spite of the critical need for these schools, the State's current funding system places many local programs in jeopardy. Unfortunately, the current funding system fails to acknowledge the extraordinary operational constraints of juvenile court schools, the needs of this unique population and the inadequacy of the revenue limit-based funding model.

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“The current funding system fails to take into consideration the practical realities of providing services to these students, ranging from the unpredictability of their enrollment and attendance to their vastly different educational needs including a higher percentage of special education needs.

“In summary, as a result of the failure of the current funding system to account for these cost inflating factors, county offices of education (COE) are facing growing financial strains in maintaining their juvenile court schools. In order to address the deficiencies of the current juvenile court school funding system, the State should establish a court school funding model that stabilizes COE funding by moving away from an Average Daily Attendance (ADA) only funding model.

“The California County Superintendents’ Educational Services Association (CCSESA) is currently working on a proposal that would modify the current funding formula for juvenile schools to one that is based on a bed-unit enhancement ADA model. This model recognizes the full complement of teaching staff, support staff, materials and supplies, and administrative overhead that is needed to offer instruction to a complement of students residing at a juvenile hall or other court school setting. The County needs to support this proposal and work with our Legislature and CCSESA to ensure its adoption. Modifying the current funding formula will create or enhance the quality of care and education the youths that attend juvenile courts receive.

“I therefore recommend that the County’s State Agenda for the 2009-10 Legislative Session be amended to include a provision that will support the California County Superintendents’ Educational Services Association proposal to modify the current funding formula for juvenile court schools to one that is based on a bed-unit enhancement ADA model.”

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Supervisor Yaroslavsky made the following additional statement:

“The County of Los Angeles has supported the State’s significant efforts to address global warming through the passage of groundbreaking State laws. This legislation has included County-supported AB 32, also known as the Global Warming Solutions Act of 2006, County-supported SB 375, and SB 97, which mandated that the State develop California Environmental Quality Act (CEQA) guidelines regarding how CEQA documents should account for, and mitigate, greenhouse gas emissions created by projects subject to CEQA review.

“While all three pieces of legislation established worthwhile goals, and the County was right to support these efforts, the true effect of these new laws will ultimately be determined by the various State regulatory agencies that are currently in the process of promulgating regulations to implement the legislation. If the County fails to monitor this regulatory activity, the County could be faced with expensive new mandates. These mandates could include:

- The possibility that capital projects would be forced to prepare a full Environmental Impact Report for all new projects—instead of negative declarations or mitigated negative declarations—because of the thresholds established for when a greenhouse gas emission should be deemed to be significant;
- The possibility that the County would not receive appropriate credit under AB 32 for the many policies and operational practices that we are currently enacting and will continue to enact in the future in order to save energy and reduce greenhouse gas emissions; and
- The loss of local autonomy or funding resources as a result of failing to meet sustainability goals established by the California Air Resources Board or other State entities.

“In sum, it is critical that the County’s advocacy efforts do not stop when legislation is signed by the Governor and instead continue throughout the regulatory processes to ensure that the County’s policy priorities are met.

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“Separate from this concern, under Section 3.2-8 (Land Use Planning) of the State Legislative Agenda there is currently a broad proposal to support legislation that would ensure that CEQA exemptions for affordable, infill, and farmworker housing are used by local jurisdictions. While this proposal may hold merit, the Board of Supervisors does not currently have enough information to evaluate staff’s proposal.

“I therefore recommend that the Board of Supervisors add a provision to the County’s 2009-10 State Legislative Agenda to monitor regulatory proceedings initiated by AB 32, SB 375, and SB 97, and advocate for regulations that would:

- Preserve the County’s flexibility in making CEQA determinations; and
- Incentivize actions by the County and other local governments to reduce greenhouse gas emissions and meet AB 32 mandates both through their operations and their regulatory authority.

“I further recommend that the Board of Supervisors remove provision 3.2-8 relating to CEQA exemptions from the State Legislative Agenda until such time as more information is provided by the Department of Regional Planning.”

Supervisor Antonovich made the following statement:

“Section 12.1-12 (Land Use Planning) of the State Legislative Agenda is a worthy proposal to support legislation ‘to assist and encourage local businesses and homeowners to implement green energy programs (such as wind turbines, solar panels, and energy-efficient appliances) to reduce demand on local and regional power grids.’ State legislation promoting energy conservation should not interfere with the County’s ability to regulate land uses or assess the potential environmental impacts of proposed projects.

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“I therefore recommend that the Board of Supervisors modify Item 12.1-12 of the County’s State Legislative Agenda to require that legislation providing incentives for green energy programs such as wind turbines and solar panels shall include provisions which protect the County’s ability to analyze environmental impacts under the California Environmental Quality Act and preserve the County’s ability to exercise discretion in regulating land uses in our unincorporated communities.”

After discussion, on motion of Supervisor Yaroslavsky, seconded by Supervisor Antonovich, unanimously carried, the Board adopted the Chief Executive Officer’s attached recommendation to approve additions, deletions, and changes to existing Board-adopted policies and positions for inclusion in the 2009-10 State Agenda with the following changes:

1. Refer the following sections included in the Recommended Changes to State Legislative Policies back to the Chief Executive Officer at his request:
  - Section 3.2, Land Use Planning, Item 13: *to support legislation that amends the State Subdivision Map Act to allow local jurisdictions the option to require not only larger tract maps but also smaller subdivision projects to provide a water supply availability assessment and/or proof of water source prior to tentative map approval to ensure adequacy of water supply; and*
  - Section 3.6 Child Support Administration, Item 1: *to support legislation to allow counties to relinquish all responsibility for the local child support program to the State.*
2. Include a provision in the County’s State Agenda for the 2009-10 Legislative Session that will support the California County Superintendents’ Educational Services Association proposal to modify the current funding formula for juvenile court schools to one that is based on a bed-unit enhancement ADA model;
3. Add a provision to the County’s 2009-10 State Legislative Agenda to monitor regulatory proceedings initiated by AB 32, SB 375, and SB 97, and advocate for regulations that would:
  - Preserve the County’s flexibility in making CEQA determinations; and

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- Incentivize actions by the County and other local governments to reduce greenhouse gas emissions and meet AB 32 mandates both through their operations and their regulatory authority;
4. Remove provision Section 3.2, Land Use Planning, Item 8 - relating to CEQA exemptions from the State Legislative Agenda, until such time as more information is provided by the Department of Regional Planning;
  5. Modify County's State Legislative Agenda Section 12.1, Energy, Item 12, to require that legislation providing incentives for green energy programs such as wind turbines and solar panels shall include provisions which protect the County's ability to analyze environmental impacts under the California Environmental Quality Act and preserve the County's ability to exercise discretion in regulating land uses in our unincorporated communities.

In addition, the Chief Executive Officer was instructed to report back to the Board in January 2009 on Section 3.2, Land Use Planning, Item 13, which was referred back to his Department.

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Each Supervisor  
Chief Executive Officer  
County Counsel